

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

August 31, 2016
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Greg Stanton, Phoenix, Chair	* Supervisor Denny Barney, Maricopa County
Mayor Jackie Meck, Buckeye, Vice Chair	Mayor John Giles, Mesa
Vice Mayor Robin Barker, Apache Junction	Vice Mayor David Sherf for Mayor Michael Collins, Paradise Valley
# Mayor Kenneth Weise, Avondale	# Mayor Cathy Carlat, Peoria
Councilmember Mike Farrar, Carefree	Supervisor Todd House, Pinal County
Councilmember Dick Esser, Cave Creek	Mayor Gail Barney, Queen Creek
Mayor Jay Tibshraeny, Chandler	President Delbert Ray, Salt River Pima-Maricopa Indian Community
Mayor Lana Mook, El Mirage	* Mayor W.J. "Jim" Lane, Scottsdale
Mayor Tom Rankin, Florence	Mayor Sharon Wolcott, Surprise
* President Bernadine Burnette, Fort McDowell Yavapai Nation	Mayor Mark Mitchell, Tempe
* Mayor Linda Kavanagh, Fountain Hills	* Mayor Adolfo Gamez, Tolleson
* Mayor Chuck Turner, Gila Bend	* Mayor John Cook, Wickenburg
* Governor Stephen Roe Lewis, Gila River Indian Community	# Mayor Michael LeVault, Youngtown
Mayor Jenn Daniels, Gilbert	# Mr. Roc Arnett, Citizens Transportation Oversight Committee
Mayor Jerry Weiers, Glendale	Mr. Joseph La Rue, State Transportation Board
Mayor Georgia Lord, Goodyear	Vice Mayor Jack Sellers, State Transportation Board
* Mayor Angie Perez, Guadalupe	
Mayor Thomas Schoaf, Litchfield Park	
* Mayor Christian Price, City of Maricopa	

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference

1. Call to Order

The meeting of the MAG Regional Council was called to order by Chair Greg Stanton, Phoenix, at 11:40 a.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Mr. Roc Arnett, Mayor Kenneth Weise, Mayor Cathy Carlat, and Mayor Michael LeVault joined the meeting by teleconference.

Chair Stanton presented Mayor Jenn Daniels, Gilbert, with her Regional Council membership certificate. He noted that Mayor Daniels is a member of the Transportation Policy Committee and has attended Regional Council meetings in the past as proxy.

Chair Stanton welcomed Paradise Valley Vice Mayor David Sherf, who was proxy for Mayor Michael Collins.

7. Federal Highway Administration Update

This agenda item was taken out of order.

Ms. Karla Petty, the Arizona Division Administrator for the Federal Highway Administration (FHWA), provided an update on the priorities and initiatives of the U.S. Secretary of Transportation. Ms. Petty stated that in addition to safety, Secretary Foxx's priority is the relationship between transportation and opportunity. She indicated that he feels that the choices made about future transportation projects—the people and places they connect, will play a role in determining how widely opportunity expands throughout America.

Ms. Petty stated that transportation infrastructure—the road, water, air, and rail networks on which we depend — are easily taken for granted and their impact often forgotten. In the 1950s, the United States paved the way to its future with local, state, and federal dollars building millions of miles of roads under the Interstate Highway program.

Ms. Petty stated that the modern highway system opened up new worlds to those who traveled along it. As a result of the Interstate Highway program, the United States has a well-developed network of routes that link every state and connect the country like never before. She noted that the MAG region has one of the most extensive high occupancy vehicle systems in the country. However, we also see today that the same infrastructure that brought massive expansion too often reinforced dividing lines within communities and created physical barriers to opportunity. Ms. Petty noted that Secretary Foxx grew up in a city divided by an interstate and that is why he feels that including the community in designs is so important.

Ms. Petty stated that at a time when much U.S. infrastructure will be repaired or replaced, it is an appropriate time for communities to re-imagine existing transportation projects via innovative and restorative infrastructure designs that reflect a more inclusive America, reconnects people and neighborhoods to opportunity, and reinvigorates opportunities within communities by empowering and encouraging communities and decision makers to work together.

Ms. Petty stated that the U.S. DOT plays a critical role in connecting Americans and communities to economic opportunity. Choices made at the federal, state and local level can strengthen communities, create pathways to jobs and improve the quality of life for all Americans. Ms. Petty encourage expanding what is currently being done at the state and local levels to make a positive difference and provide modal choices.

Ms. Petty stated that transportation infrastructure can have a dramatic impact on neighborhoods and regions by creating better access and attracting new opportunities within an area. It can provide support for urban and rural main street centers and attract more business and residential developments designed to bring everyone closer to opportunities where they live. Ms. Petty stated that a multimodal transportation system provides people with safe, reliable and affordable connections to employment, education, healthcare and other critical services. Transportation projects create jobs, both through the project directly as well as in jobs stimulated through the resulting economic development.

Ms. Petty stated that the U.S. DOT funds projects that promote the Ladders of Opportunity initiative. Through TIGER, the Department has been able to fund numerous transportation projects focused on improving ladders of opportunity across cities, towns, and regions. Ms. Petty stated that one project in particular is the Vision Zero: Saving Lives and Providing Opportunity Project in New York City, the first phase of a comprehensive effort to reduce traffic related deaths and injuries in New York City, which on average occur once every two hours.

Ms. Petty stated that last year, two projects in the region were awarded TIGER grants: the Phoenix Grand Canal Bicycle and Pedestrian Improvements project and the State Route 347 Grade Separation Project.

Ms. Petty stated that the time has come to close the disparity for safety. She noted that many low-income and minority communities suffer from political disempowerment and historic under-investment that has manifested in a lack of the basic infrastructure. In part because low-income communities are less likely to have sidewalk and other pedestrian facilities.

Ms. Petty stated that another of the Secretary's challenges is Safer People, Safer Streets, a pedestrian and bicycle safety initiative. She reported that the Mayors' Challenge for Safer People and Safer Streets is a call to action for city officials to advance safety and accessibility goals. Ms. Petty noted that in Arizona, three cities have accepted the Secretary's Challenge – Phoenix, Mayor Stanton and staff; Tucson, Mayor Rothschild and staff; and Oro Valley, Mayor Hiremath and staff. Ms. Petty noted that they were invited to a workshop in Washington, D.C., last spring to discuss the Mayors' Challenge for Safer People and Safer Streets. On September 16, the U.S. DOT is hosting a summit.

Ms. Petty stated that another part of the Challenge is Road Safety Assessments. She explained that the U.S. DOT convened state, regional, and local transportation officials and stakeholders for on-the-ground safety assessments in every state. For Arizona this assessment was along the Phoenix South Central Light Rail Corridor. Ms. Petty stated that this tool continues to be available and provides an exceptional on-the-ground assessment of proposed or existing infrastructure. She encouraged everyone to participate in Road Safety Assessments.

Ms. Petty stated that the Ladders of Opportunity Transportation Empowerment Pilot (LadderSTEP) provides technical assistance to local cities on game-changing community revitalization projects related to major infrastructure investments that revitalize, connect, and support access to economic opportunity. She explained that the U.S. DOT launched the program in seven U.S. cities (Atlanta, Baltimore, Baton Rouge, Charlotte, Indianapolis, Phoenix, and Richmond). Ms. Petty noted that Phoenix is the only city

west of Louisiana to be chosen for LadderSTEP. She indicated that the program is a local approach to a partnership.

Ms. Petty stated that through the LadderSTEP program, FHWA and FTA have been working closely with the City of Phoenix on the South Central Corridor – earlier this month a community workshop on equitable transit oriented development was held. A number of national organizations are providing technical assistance to the cities included in this pilot program, including LOCUS, a program of Smart Growth America; the Urban Land Institute (ULI); and Local Initiatives Support Corporation (LISC).

Ms. Petty stated that through the Secretary's efforts, they are striving for institutionalizing community solutions as an everyday practice so that projects are built by the people, for the people. She mentioned that she is interested in hearing about cities' experiences and practices. Ms. Petty stated that the U.S. DOT has been providing technical assistance for funding opportunities and arranging peer-to-peer opportunities.

Ms. Petty stated that Metro regions are morphing into Megaregions, which cross state and political boundaries. As regions grow, the number of entities required to coordinate will grow as well, as will regional and international requirements for infrastructure. She indicated that by 2050, Megaregions are projected to contain 75 percent of the U.S. population. Ms. Petty stated that we need to prepare for the future. She said that in many areas across the country the jurisdictional boundaries, planning tools, and growth plans are relic practices from the prior century and are not an adequate approach to address the task of building a 21st century infrastructure and economy. Ms. Petty stated that FHWA has an effort underway to address what the governances should be and what preparations need to be made.

Ms. Petty stated that another of Secretary Foxx's initiatives is the MPOwerment Initiative. The department understands the significant transportation challenges in urbanized areas today and would like to work with MPOs to move toward a more unified approach to meeting those challenges. Ms. Petty stated that the Secretary's past experiences with MPOs were not as positive as her experiences. She indicated they would like to give MPOs the tools to be successful and empowered.

Ms. Petty stated that innovative finance is the new model for infrastructure investment in the 21st century. She said that the Build America Transportation Investment Center serves as the single point of contact and coordination for states, municipalities and project sponsors looking to utilize federal transportation expertise, apply for federal transportation credit programs, and explore ways to access private capital and expertise in public-private partnerships. Ms. Petty stated that the Build America Transportation Investment Center provides better access to technical assistance, DOT credit programs, and innovative project delivery.

Ms. Petty stated that the Fixing America's Surface Transportation (FAST) Act was passed in December 2015. She noted that the FAST Act included changes to financing, such as expanding the TIFIA program by allowing Transit-Oriented Development eligible to apply for TIFIA credit assistance. Another change is relief from fees for small projects (those with less than \$75 million in reasonably anticipated eligible project costs). For example, for small projects, TIFIA will reserve at least \$2 million each year to be used in lieu of the fees it charges to potential applicants as part of the TIFIA application process.

Ms. Petty stated that the nation's infrastructure is aging. Many parts of it were built nearly 60 years ago. With a projected 70 million more people, 65 percent more trucks on the road and 45 percent more freight in the next 30 years, there is no choice but to build new infrastructure with inclusive design.

Ms. Petty stated that the Secretary has pledged to connect people to opportunity. He has stated that "Transportation facilities should be built by, for and with the communities impacted by them. Development of transportation facilities should meaningfully reflect and incorporate the input of all the people and communities they touch." Ms. Petty stated that projects should be equitable and provide access to all users.

Ms. Petty stated that the South Mountain Freeway underwent a very extensive environmental impact statement process. The Record of Decision for the proposed South Mountain Freeway Corridor was signed on March 5, 2015. Two lawsuits claimed that ADOT and FHWA violated the National Environmental Policy Act. Ms. Petty stated that in a ruling released August 19, 2016, the U.S. District Court Judge dismissed the legal challenges and found the plaintiffs failed to demonstrate that ADOT and the FHWA did not meet requirements of the National Environmental Policy Act and other federal laws. She added that appeals are anticipated to be filed.

Ms. Petty stated that construction of the South Mountain Freeway is expected to begin in early September. She stated that the Record of Decision was made possible through the cooperation, coordination and partnership of ADOT, FHWA, MAG and City of Phoenix. Ms. Petty thanked the Mayor Greg Stanton, ADOT Director John Halikowski, and Mr. Dennis Smith for their leadership, engagement, and commitment to advancing this project. Ms. Petty stated that this project was underway when she assumed her current role at FHWA and she has learned a lot.

Ms. Petty stated that this project will connect people with employment, entertainment and educational centers in parts of the Phoenix metropolitan area projected to see considerable growth. She expressed that the judge's ruling affirmed the good work of the entire project team. Ms. Petty thanked everyone for all of their efforts.

Ms. Petty stated that safety is her number one priority. She encouraged everyone to buckle up, do not text or drink while driving, be considerate of others, and be aware around you in order to stay safe in your travels. Ms. Petty was applauded by the Regional Council.

Chair Stanton expressed his appreciation to U.S. Secretary of Transportation Anthony Foxx for inviting himself and Mr. Dennis Smith to attend the MPOwerment Roundtable and 50th Anniversary forum in Washington, D.C. He said that mayors, MPOs and DOTs from across the nation attended the event. Chair Stanton expressed his appreciation of the good relationships in the MAG region between the cities and their MPOs and ADOT. Chair Stanton stated that our Sun Corridor Megaregion has taken it to a new level by having a partnership with the mayors in Sonora, Mexico, with Ari-Son. He indicated that there is no equal to MAG among other Megaregions on these planning efforts that go beyond borders.

3. Call to the Audience

Chair Stanton recognized public comment from Ms. Dianne Barker, who spoke about how bus customer service is polarized. Ms. Barker stated that on June 15, she wanted to connect from the bus she was

riding to another bus near the intersection of Elliott and Kyrene, but was left behind at the transfer point. Ms. Barker noted that missing the bus caused her to be an hour late to her appointment. Ms. Barker stated that she filed a complaint with customer service and requested that a supervisor return her call. Ms. Barker stated that it took a supervisor two months to respond to her request, and she received an apology. She said that Valley Metro staff advised her that riders should be at their bus stop five minutes before their bus is due to arrive. She questioned whether this means policy should overtake customer service. Ms. Barker stated that if a customer complains, they should not be dismissed. Chair Stanton thanked Ms. Barker.

Chair Stanton recognized public comment from Mr. Marvin Rochelle, who thanked everyone for the July 1, 2016, implementation of a seamless Dial-A-Ride system, which was approved in November 2015. He stated that he advocated for Dial-A-Ride since 2007. Mr. Rochelle stated that for the most part, the updated system is working with minor glitches related to personnel training and information. Mr. Rochelle stated that he represents not only the physically challenge, but also the visually challenged community. He indicated that he has heard from doctors praising the change as patients are now on time to their appointments. Mr. Rochelle thanked everyone and encouraged progress. Chair Stanton thanked Mr. Rochelle.

4. Executive Director's Report

Mr. Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. Mr. Smith stated that on June 21, 2016, at the MAG office, CenturyLink provided a presentation on its managed services proposal for 9-1-1. He indicated that the proposal came about because the lowering of the tariff for the 9-1-1 set by the Legislature is insufficient to cover costs. He noted that MAG staff has met with the Arizona Department of Administration on the 9-1-1 managed services proposal and it was noted that Maricopa Region 9-1-1 is a regional system and further agreed that the CenturyLink proposal would be examined through the regional 9-1-1 process.

Mr. Smith stated that another element to this topic is the Regional Community Network, which is owned by the cities and is utilized by Maricopa Region 9-1-1. Mr. Smith stated that the Regional Community Network originally was used to coordinate traffic centers in the region. He said that the Federal Highway Administration allowed the use of the Regional Community Network by 9-1-1. Mr. Smith noted that 40 percent of the region's 9-1-1 traffic is being carried by the Regional Community Network. He said that CenturyLink has indicated that the region's 9-1-1 system would no longer be able to use the Regional Community Network under its managed services proposal because it would be unable to vouch for it.

Mr. Smith stated that the MAG 9-1-1 Oversight Team and the MAG Public Safety Answering Point Managers Group have been discussing this and will be bringing forward their recommendation to the MAG Management Committee to thoroughly vet the CenturyLink managed services proposal. Mr. Smith remarked that the MAG 9-1-1 system was a premier system when it was rolled out in 1985 and it needs to remain that way.

Mr. Smith stated that he and Chair Stanton were invited by U.S. Secretary of Transportation Anthony Foxx to attend the MPOwerment Roundtable and 50th Anniversary forum in Washington, D.C. He said

that this region is different from other regions and noted that great relationships and partnerships among MAG, ADOT and FHWA were needed to construct 181 centerline miles of freeway in this region.

Mr. Smith stated that Gilbert Mayor John Lewis resigned his office as mayor to assume the position of President and CEO of East Valley Partnership. He noted that Mayor Greg Stanton presented Mayor Lewis with a Resolution of Appreciation from MAG commemorating his contributions to the region. Mr. Smith displayed a photograph of the presentation.

Mr. Smith stated that MAG's air quality special counsel sat with the Department of Justice and the State of Arizona as deliberations continue on the lawsuit on PM-10 exceedances.

Mr. Smith stated that the Mandela Washington Fellowship group recently visited MAG. He expressed appreciation to the City of Tempe, who hosted the group in Tempe, and Ms. Amy St. Peter, MAG Assistant Director, who organized the event at MAG. Mr. Smith added that the Mandela Washington Fellowship group visited to learn about MAG's best practices.

Mr. Smith stated that at each place were two bipartisan letters of support from MAG's Congressional leadership for expanding the zone of the Border Crossing Card from 75 miles to the entire State of Arizona. Mr. Smith stated that expanding the zone could provide an estimated \$181 million per year increase in sales tax in the State. He indicated that MAG has been working on this effort for three years. Mr. Smith stated that these Congressional letters of support are now at the Department of Homeland Security. He stated that MAG is requesting that other agencies, such as cities, tourism entities, and chambers of commerce, provide letters of support and he added that MAG could provide a letter template. Mr. Smith stated that due to uncertainty in Congress, MAG is requesting quick action. He explained how Mexican visitors are required to fill out an I-94 federal form, a lengthy process, if they want to go beyond the current 75-mile limit. He indicated that the Border Crossing Card is the most vetted identification card there is and is a duplicative effort that should not be continued. Mr. Smith noted that tourism is Arizona's number one industry.

Mr. Smith stated that the Ari-Son Megaregion Council was recognized as an official affiliate group at the League of Arizona Cities and Towns Conference last week and it now has a seat at every League conference. Mr. Smith recognized Mayor Mark Mitchell's efforts on this. He noted that a 60-plus delegation from Sonora, including mayors, economic development directors, city attorneys, and finance officers, attended the Ari-Son meeting at the Conference. Mr. Smith extended appreciation to MAG staff member Alana Chávez-Langdon for the tremendous job in organizing the meeting. He stated that the ICMA Alliance for Innovation, which is headquartered in Phoenix, catalogues best practices for cities and they came to the Ari-Son meeting and expressed these data would be shared with Mexico.

Mr. Smith reported that on August 26, the Gila River Indian Community Council voted to appeal the judge's decision on the South Mountain Freeway lawsuit and is seeking an injunction to halt construction of the facility. Mr. Smith expressed that this project has been in limbo for a long time and finality is needed.

Mr. Smith encouraged members to promote the MAG Household Travel Survey by re-Tweeting a Tweet being sent out by MAG staff. He noted that data received from the Survey are essential to the MAG Travel Model and more responses to the Survey are needed.

Chair Stanton thanked Mr. Smith for his report.

5. Approval of Consent Agenda

Chair Stanton noted that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, and #5J were on the Consent Agenda.

Chair Stanton asked if members had questions or requests for a presentation on any of the Consent Agenda items.

None were noted.

Mayor Georgia Lord moved to approve the Consent Agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, and #5J. Councilmember Michael Farrar seconded, and the motion passed unanimously.

Chair Stanton recognized public comment from Ms. Dianne Barker, who indicated she would speak on the minutes and the Sun Corridor. She said that the minutes noted that her time expired and she is reported to have said that if she is told her time is up, so should everyone. Ms. Barker stated that she appreciated Ms. Petty's comments about being multimodal and that we allowed her to speak for quite awhile. Ms. Barker stated that she was going to attend the Donald Trump rally that afternoon. She indicated her belief that regardless of political affiliation, she tries to attend such events. Ms. Barker expressed agreement with Mr. Smith's comments on the border crossing card and she was going to submit the materials to Trump's staff. She spoke about the customer and suggestions and complaints. Ms. Barker stated that there are classes on how to deal with difficult customers. Chair Stanton requested that Ms. Barker address the consent agenda items. Ms. Barker stated that her comments had to do with the minutes. She said she would go back to expression and this is expression in customer service. Ms. Barker stated that she is doing cartwheels and singing, but they are not attached to the purpose. She stated that the reason she did cartwheels is to show that she overcame a disability by using transit. Ms. Barker stated that she will continue to deliver the message to use transit. Chair Stanton thanked Ms. Barker.

5A. Approval of the June 22, 2016, Meeting Minutes

The MAG Regional Council, by consent, approved the June 22, 2016, meeting minutes.

5B. Project Changes - Amendments and Administrative Modifications, as Necessary, to the FY 2014-2018 Transportation Improvement Program, the FY 2017-2021 MAG Transportation Improvement Program, FY 2017 Arterial Life Cycle Program, and the 2035 Regional Transportation Plan

The MAG Regional Council, by consent, approved amendments and administrative modifications to the Fiscal Year (FY) 2017-2021 MAG Transportation Improvement Program (TIP), FY 2017 Arterial Life Cycle Program, and 2035 Regional Transportation Plan as necessary, and of necessary project

advancements, deferrals, modifications, and inclusion of detailed TIP listings for previously approved priority ordered projects related to apportioned Federal FY 2016 funding that are needed to balance the FY 2016 Obligation Authority or utilize FY 2016 Federal Transit Administration allocations based on the forthcoming final Obligation Authority distributions from the Arizona Department of Transportation and/or notifications by the region's transit Designated/Direct Recipient, supported by funding notices from the Federal Highway Administration and Federal Transit Administration. The FY 2017-2021 MAG Transportation Improvement Program (TIP), FY 2017 Arterial Life Cycle Program (ALCP), and amendment to the 2035 Regional Transportation Plan (RTP) were approved by the MAG Regional Council on June 22, 2016. Since then project changes and additions to the TIP have been requested by member agencies. Further, the end of the federal fiscal year is approaching, and all Federal Highway Administration sub-allocated funding (Obligation Authority), for Federal Fiscal Year (FFY) 2016 must be utilized or will be lost from the region. The City of Phoenix Transit Department, as the Designated Recipient and Direct Recipient of certain Federal Transit Administration funding, is currently preparing and submitting FY 2016 grant requests for federal approval. Project changes related to the FY 2017-2021 MAG TIP, FY 2017 ALCP, and the 2035 RTP, as appropriate, are needed at this time. The requested project changes were recommended for approval on July 28, 2016, by the MAG Transportation Review Committee and on August 10, 2016, by the MAG Management Committee.

5C. MAG Federally Funded, Locally Sponsored Project Development Status Report

The MAG Regional Council, by consent, accepted the MAG Federally Funded, Locally Sponsored Project Development Status Report. The MAG Federally Funded, Locally Sponsored Project Development Status Report was developed pursuant to the MAG Federal Fund Programming Guidelines & Procedures, approved by the MAG Regional Council on June 24, 2015. The Status Report provides information on the development and status of locally sponsored projects funded thorough the MAG competitive selection process for federal funds (primarily Congestion Mitigation and Air Quality Improvement Program funds and Transportation Alternatives Program funds) for Federal Fiscal Years 2017 and 2018 of the approved TIP. The Status Report performs two key functions: 1) Provides verification that federally funded, locally sponsored projects fully comply with the fiscal constraint requirements of the Code of Federal Regulations (23 CFR §450). 2) Provides MAG with information necessary to make decisions to avoid the loss of federal funds as a result of federal “use it or lose it” requirements. The MAG Federally Funded, Locally Sponsored Project Development Status Report was recommended for acceptance on July 28, 2016, by the MAG Transportation Review Committee and on August 10, 2016, by the MAG Management Committee.

5D. Memorandum of Understanding for Coordination of Transportation Planning Activities in the MAG and Sun Corridor Metropolitan Planning Organization Planning Areas in Pinal County

The MAG Regional Council, by consent, approved the Memorandum of Understanding for coordination of transportation planning activities in the MAG and Sun Corridor Metropolitan Planning Organization (SCMPO) planning areas in Pinal County. MAG adjoins the Sun Corridor Metropolitan Planning Organization (SCMPO) and shares the West Pinal PM-10 Nonattainment Area and the West Central Pinal PM-2.5 Nonattainment Area with SCMPO. Included with this agenda is a draft Memorandum of Understanding jointly developed by MAG, SCMPO, the Arizona Department of Environmental Quality and the Arizona Department of Transportation. The Memorandum of Understanding largely documents

transportation planning coordination activities that are already in place and is limited to planning coordination activities in the shared nonattainment and maintenance areas of the two MPOs only. The document has been reviewed by legal staff from all four parties to the agreement. The Memorandum of Understanding was recommended for approval on July 28, 2016, by the MAG Transportation Review Committee and on August 10, 2016, by the MAG Management Committee.

5E. Arizona Department of Transportation Red Letter Process

The MAG Regional Council approved the Red Letter Process in 1996 to provide early notification of potential development in planned freeway alignments. Development activities include actions on plans, zoning, and permits. The Arizona Department of Transportation (ADOT) has forwarded a list of notifications from January 1, 2016, to June 30, 2016. Twenty-five of the 186 notices received have an impact to the state highway system. ADOT is requesting that local municipalities visit with their respective staff and offices responsible to ensure participation in the Red Letter Program. This item was on the agenda for information and discussion.

5F. FY 2017 MAG Pedestrian and Bicycle Facilities Design Assistance Program

The MAG Regional Council, by consent, approved the six projects for the FY 2017 MAG Pedestrian and Bicycle Facilities Design Assistance Program: Tempe: Country Club Way Pedestrian Improvements and Bicycle Boulevard (\$72,608.25); Phoenix: 20th Street - Grand Canal to Glendale Avenue: Glendale Avenue - 20th Street to Squaw Peak Drive (\$69,967.95); Surprise: Grand Avenue Pedestrian Plaza (\$52,365.95); Mesa: Red Mountain Shared Use Pathway (\$70,408); Maricopa: Pedestrian and Bicycle Facilities at UPRR/SR 347 Overpass Project (\$70,408); Peoria: Skunk Creek Multi-Use Path: 73rd Avenue to 83rd Avenue (\$64,241.85). The FY 2017 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2016, includes \$400,000 for the MAG Design Assistance Program for Bicycle and Pedestrian Facilities. The Design Assistance Program allows MAG member agencies to apply for funding for the preliminary design portion of a bicycle or pedestrian project. On May 26, 2016, MAG member agencies were requested to submit project applications for the Design Assistance Program. The applications were due June 23, 2016. On July 19, 2016, the Bicycle and Pedestrian Committee reviewed and ranked the applications and voted to recommend approval of six projects for \$400,000. The six projects for the FY 2017 MAG Pedestrian and Bicycle Facilities Design Assistance Program were recommended for approval on July 28, 2016, by the MAG Transportation Review Committee and on August 10, 2016, by the MAG Management Committee.

5G. Status of Remaining MAG Approved PM-10 Certified Street Sweeper Projects That Have Not Requested Reimbursement

A status report is being provided on the remaining PM-10 certified street sweeper projects that have received approval, but have not requested reimbursement. To address new Federal Highway Administration procedures to minimize inactive obligations and to assist MAG in reducing the amount of obligated federal funds carried forward in the MAG Unified Planning Work Program and Annual Budget, we are requesting that street sweeper projects be purchased and reimbursement requests be submitted to MAG within one year from the date of the MAG authorization letter. This item was on the agenda for information and discussion.

5H. Conformity Consultation

The Maricopa Association of Governments conducted consultation on a conformity assessment for an amendment and administrative modification to the FY 2017-2021 MAG Transportation Improvement Program and 2035 Regional Transportation Plan. The amendment and administrative modification involve several projects, including Arterial Life Cycle Program projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. This item was on the agenda for consultation.

5I. Approval of Appointments of the MAG Economic Development Committee Member Agency Positions

The MAG Regional Council, by consent, approved the appointments of the MAG Economic Development Committee (EDC) member agency positions. Each year, the MAG Executive Committee recommends the appointments for the Economic Development Committee (EDC). On July 1, 2016, a memorandum was sent to the MAG Regional Council members soliciting letters of interest for the member agency positions on the EDC. The seven largest cities, in addition to the City of Phoenix, Maricopa and Pinal Counties and the Arizona Department of Transportation, have dedicated representation on the EDC. Eight other member agencies, in addition to the dedicated seats, can request appointment or reappointment. The Chair and the Vice Chair of the Transportation Policy Committee (TPC) are also members of the EDC. This year, no letters were received from the Chair or Vice Chair of the TPC leaving these seats vacant. These jurisdictions (Mesa and Avondale) are represented on the EDC composition. On August 15, 2016, the MAG Regional Council Executive Committee recommended approval of the appointments of the MAG Economic Development Committee member agency positions.

5J. Appointment of Vice President Martin Harvier, Salt River Pima-Maricopa Indian Community, to Serve on the Transportation Policy Committee

The MAG Regional Council, by consent, approved the appointment of Vice President Martin Harvier, Salt River Pima-Maricopa Indian Community, to the Transportation Policy Committee as the Native American Indian Community representative. The composition of the Transportation Policy Committee (TPC), established by the MAG Regional Council on April 24, 2002, includes one elected official to represent the three MAG member agency Native American Indian Communities. The representative would be selected by the MAG Regional Council for a two-year appointment. President Delbert W. Ray, Sr., President of the Salt River Pima-Maricopa Indian Community, has sent a letter recommending that Vice President Martin Harvier, from the Salt River Pima-Maricopa Indian Community, be appointed as the Native American Indian Community representative on the TPC.

6. Domestic Violence Awareness Activities

Chair Stanton expressed that he was impressed with the range of domestic violence activities – the protocols and best practices – that MAG shares.

Ms. Amy Robinson, MAG staff for the Domestic Violence Council, introduced Chief Steve Stahl, City of Maricopa Police.

Chief Stahl thanked MAG for inviting him to the meeting and expressed that he was impressed with the range of work done by MAG. Chief Stahl stated that October is Domestic Violence Awareness Month. In preparation, a training event called "Beyond the Handcuffs: Improving Support for Abuse Survivors," was held August 18, 2016, at the Maricopa County Sheriff's Office Training Facility in Phoenix. Chief Stahl recognized Chief Chagolla, Maricopa County Sheriff's Office, for the tremendous job he did taking care of the details at the facility. He stated that MAG Chair Greg Stanton spoke at the event.

Chief Stahl commented on the importance of the domestic violence protocols, such as the lethality assessment tool, developed at MAG being used in many communities. He expressed appreciation for the support to end domestic violence.

Chief Stahl stated that prosecutors, judges, victim advocates, and law enforcement attended the training event, which focused on best practices in the criminal justice response to domestic violence. He indicated that he presented on the use of body cameras in domestic violence situations. Chief Stahl stated that the audience learned how body cameras affect all aspects of a case, not just law enforcement. He indicated that he thought training like this needs to continue because legislation and technology change. He indicated that privacy concerns as a result of the use of body cameras were discussed at the event and he added that he thought body cameras would be the subject of future legislative discussions.

Chief Stahl stated that October is Domestic Violence Awareness Month. He said that a lot of trainings and events will be held that month. Chief Stahl stated that MAG develops a calendar of domestic violence activities and he requested that members submit their events to MAG who will add them to the calendar and publicize them.

Chief Stahl stated that last year, 97 percent of the aggravated assaults that occurred in his region were domestic violence related. He expressed that he thought they were doing a good job of holding offenders accountable. Chief Stahl stated that people need to attend the events and active communications in order to end domestic violence. He said they would prefer to prevent domestic violence before it occurs than to have to punish the offenders.

Chief Stahl stated that the Maricopa City Hall will be lit in purple for a period of time to increase awareness of domestic violence.

Ms. Robinson continued the report by encouraging members to submit their domestic violence awareness events to MAG to be included on the calendar and she added that the registration form was included in the agenda packet and on the MAG website. Ms. Robinson noted that MAG staff will also provide technical assistance to any partner agency in conducting an event to raise awareness about the impact of domestic violence. Ms. Robinson stated that MAG and the City of Phoenix will also be holding a press conference on safety technology for victims on September 30, 2016.

Chair Stanton thanked Chief Stahl and Ms. Robinson for their reports. He asked if there were questions.

Mr. Dennis Smith stated that many different elements of the system are involved in domestic violence offenses. He noted that in the past, MAG conducted studies on such things as the booking fee and the per diem fee with the County, which are very expensive to cities. Mr. Smith stated that such tools as

lethality assessments are available, but if the courts are not locking up domestic violence offenders, you are wasting a lot of time, and the circular behavior pattern keeps going.

Chair Stanton stated that the Phoenix City Hall will be lit purple also. He suggested surveying cities to try and coordinate the night they will be lit purple. This could generate interest among the public.

8. Diversion of Proposition 400 Funds to the Arizona Department of Revenue

Chair Stanton stated that diversion of Proposition 400 funds by the State was discussed extensively at the last MAG Executive Committee meeting. He explained that due to State budget issues, the State diverted voter-approved funds last year to pay for the Arizona Department of Revenue (ADOR). Chair Stanton stated that the State budget is now in the black, but the Legislature has not reversed its budgetary practices in regard to voter approved funds. He said that input is wanted from the Regional Council regarding diverting voter-approved funds now that the budget is in the black.

Mr. Nathan Pryor, MAG staff, stated that this item is on the agenda for information, discussion and possible action to consider submitting a letter to protest the diversion of more than \$2.5 million of Proposition 400 sales tax funds to the Arizona Department of Revenue. He stated that this issue has been reported on since April 2015. Mr. Pryor explained that through HB 2617, \$2.5 million from MAG and \$500,000 from PAG would be taken annually from voter approved sales tax funds for transportation to fund ADOR operations.

Mr. Pryor stated that at the end of the 2015 legislative session, a working group met with Mr. René Guillen, then with the Governor's Office, to discuss possible accommodations to the provisions of HB 2617. He stated that those on the working group included Mayor Lane, Mayor LeVault, Mayor Mitchell, and Supervisor Barney. Mayor Rothschild, Tucson joined the group later. Mr. Pryor stated that the consideration at that time was to limit the timeframe to two years and work with state in assisting through the structural deficit.

Mr. Pryor stated that this item was presented to the MAG Regional Council on June 24, 2015. Mr. Pryor stated that at the meeting, a number of Regional Council members expressed concerns with transferring regional funding to the state as contrary to what the voters understood as to how Proposition 400 funds are to be spent and the working group was encouraged to continue discussion with the Governor's Office.

Mr. Pryor stated that on July 31, 2015, MAG received the ADOR invoice for a little more than \$2.5 million. On August 3, 2015, the working group met with the Governor's staff and continued to express concerns. Mr. Pryor stated that in September 2015, the MAG Executive Committee provided direction to bring this to the MAG Regional Council and draft a letter of protest. Mr. Pryor stated that on September 22, 2015, a letter was sent to the Governor's Office and ADOR. Mr. Pryor stated that last year, MAG did not submit a check for payment of the \$2.5 million, and the State transferred the funds.

Mr. Pryor stated that in the 2016 Legislative session, HB 2708, the budget bill, included the ADOR fee again. He indicated that on July 31, 2016, MAG received an invoice from ADOR for an amount in excess of \$2.5 million. On August 15, 2016, the MAG Executive Committee provided direction to draft a letter of protest to ADOR and to encourage additional conversation with the Legislature to address this

issue. Mr. Pryor noted that there is a Legislative Transportation Committee forming, and perhaps the committee could discuss this issue.

Chair Stanton thanked Mr. Pryor for his report and asked members if they had questions or suggestions.

Mayor Thomas Schoaf asked if the invoiced amount was relevant to the amount that it costs to collect the tax.

Mr. Pryor replied that the amount is a small percentage of the amount collected, but he would need to research what collection and administration fees cost the State.

Mayor Schoaf expressed that he is absolutely opposed to the State taking taxpayer approved funds that are specifically allocated to transportation. He added that the only justification he could see is if collection of the sales tax was costing the State a marginally extra amount of money; if it is not, then it is inappropriate. Mayor Schoaf stated that it is unfortunate that our strongest response is a letter that will end up in the circular file and will have no effect.

Chair Stanton stated that the letter could be released in a public way to let the community know the feelings of the Regional Council.

Mr. Smith stated that the Regional Council would be carbon-copied on the letter.

Mr. Pryor stated that this was a part of a larger issue between the county, cities, and towns and the collection of sales tax revenue and MAG and PAG got rolled up in the issue. He indicated that it adds another layer of complexity.

Mayor Lana Mook said that as a member of the MAG Executive Committee, they discussed this issue extensively. She expressed that she was amazed the State was able to take funds out of the Proposition 400 fund without any input with MAG, in addition to the fact that this is taxpayer money not designated for that purpose. Mayor Mook expressed that she hoped someone would come up with language that would at least discourage, if not prevent, this diversion of funds.

Mayor Mark Mitchell asked if there was a way to work with Legislators to help the cities and towns in terms of legislation.

Mr. Dennis Smith noted that working with Senator Worsley, who will chair the committee that deals with surface transportation, seemed to be the best option for making the correction.

Chair Stanton stated that the community needs to be aware that voter-approved money is being swept when the State no longer needs to sweep it. He added that the letter needs to be made public to generate community awareness.

Chair Stanton phrased action needed: to send a letter, in a public way, to the Governor's Office registering MAG's complaints.

Mr. Smith asked for clarification that the letter would be addressed to the Director of ADOR or to the Governor.

Mayor Jenn Daniels stated that when the sweeps to ADOR are made, MAG can make the case that the State is not supporting transportation as a whole. She suggested gathering all these issues together and say we need the State to look comprehensively at transportation. Mayor Daniels stated that she thought that might be more effective than doing things in a silo. She added that while MAG might be focused on the diversion of MAG's funds, the bigger case needs to be made to wrap this up with a couple of larger issues would increase public attention.

Mayor Mark Mitchell expressed that he did not disagree with Mayor Daniels and he thought MAG should do both. He indicated he thought that from a League perspective as well, having all the backup information available would be helpful to accomplishing both efforts.

Chair Stanton stated that they are able to take the money whether or not MAG supports it. The question is whether to register a formal complaint.

Mr. Pryor noted that the draft letter is currently addressed to the Director of ADOR with carbon-copy to the Governor and the Regional Council.

Chair Stanton asked if there were any strong feelings in opposition to this.

Mr. Smith noted for clarification what Mayor Daniels was saying to make the letter more public and broaden the letter to say we need more responsible legislation to fund transportation.

Mayor Daniels stated that she thought if the letter was going to the Governor, she felt it needed to be a comprehensive letter. Mayor Daniels stated that the Legislature in conjunction with the Governor's Office is mandating the contributions to ADOR. She said that she was not sure the ADOR Director had a lot of control over this issue.

Mr. Smith stated that if this is the consensus, the letter could be broadened.

Chair Stanton asked members if there was any disagreement with Mayor Daniels' suggestion to broaden the letter. He noted that this is a particularly difficult situation because it deals with voter approved money for transportation being used for ADOR.

Mayor Thomas Schoaf stated that having a broader complaint to the Governor and Legislature about transportation funding is a good idea, but he added that he did not think this particular issue should get muddled with other issues. This is particularly galling – it is essentially picking our pockets. Mayor Schoaf stated that this is much worse than taking HURF. Mayor Schoaf stated that the MAG Regional Council should decide as a group if it is going to make its opposition more vocal for the way transportation is being funded by the State.

Mayor Georgia Lord expressed support for Mayor Schoaf's comments to keep the issues separate. She said she thought it should be comprehensive and made available to the public and the media.

Chair Stanton summarized discussion by the Regional Council to send two letters – one to ADOR regarding the diversion of Proposition 400 funds to the ADOR and a letter to the Governor on the larger issues of transportation funding that would be made public. He said that the ADOR letter would need to occur soon – before the State diverts the funds. Chair Stanton asked if there was any disagreement with that approach. None was noted.

Vice Mayor Robin Barker moved, Councilmember Dick Esser seconded, and the motion passed unanimously.

9. Ozone Boundary Designations

Ms. Lindy Bauer, MAG staff, provided a report on the ozone boundary designations. She stated that the Arizona Department of Environmental Quality (ADEQ) has been conducting a process on where the new ozone boundaries should be for the 2015 ozone standard. She displayed a map of the current ozone boundary, a total of 5,017 square miles. She said that the issue is whether to include in the ozone boundary the Queen Valley monitor in Pinal County and the Tonto National Monument monitor in Gila County.

Ms. Bauer stated that based upon the 2014-2016 monitor data, both monitors are at 0.071 parts per million, which is slightly over the 0.070 parts per million standard. She said that ADEQ originally wanted to expand the boundary to include the two monitors. Then, in April, the MAG Regional Council took action to send a letter to ADEQ to not expand the boundary at this time and encouraged ADEQ to evaluate 2016 data. Ms. Bauer noted that if the numbers came down, the boundary would not need to be expanded. She added that ADEQ has been very accommodating of the MAG request.

Ms. Bauer stated that more options would be recommended to the EPA by the State by October 1, 2016. By October 1, 2017, EPA will finalize the ozone boundary designations, which perhaps might not need to be expanded.

Ms. Bauer summarized discussions at the August 9, 2016, stakeholder meeting. ADEQ reported that EPA did not look favorably upon submitting the current ozone boundary as the preferred option. ADEQ's primary recommendation will now be the expansion of the current boundary to include the Queen Valley monitor in Pinal County and the Tonto National Monument monitor in Gila County. Three other alternatives will be presented to not expand the boundary if the Queen Valley and/or Tonto National Monument monitors meet the standard. Based upon 2014-2016 monitor data, both monitors are at 0.071 parts per million, slightly over the 0.070 parts per million standard. The Queen Valley monitor began violating the standard on May 31, 2016. Until recently, the Tonto monitor was meeting the standard. However, it was discovered that the monitor had shut down on June 22, 2015, in the evening due to a pump failure. Since the monitor had six hours of data over the standard, it would count as an exceedance, causing a violation. ADEQ has indicated that if the monitor had not failed and had the usual eight hours of data, the monitor would not have violated the standard due to the declining ozone concentrations in the evening. Ms. Bauer reported that ADEQ staff indicated that EPA staff agreed with them, however, EPA has its own requirements.

Ms. Bauer addressed final recommendations and alternatives. She displayed a map of the new boundary that includes the Tonto and Queen Valley monitors. Ms. Bauer stated that ADEQ decreased the size in Pinal County. She said that an SRP property in the east and primarily desert land to the west were taken out. Ms. Bauer displayed three alternatives. Alternative A is if the Tonto monitor is not violating. Alternative B is if the Queen Valley monitor is not violating. Alternative C is the best case scenario of not expanding the boundary.

Ms. Bauer noted issues with the ADEQ boundary designation. She said there will be tighter controls on business and industry inside the new area added. Transportation conformity requirements will apply. Ms. Bauer stated that these requirements could have a negative impact on economic development in Pinal County, which needs employment centers and job growth. Employment centers could reduce the length of work trips and reduce ozone.

Ms. Bauer displayed a graph of the eight-hour ozone monitoring data and noted that the concentrations continue to decline. She indicated that the ozone monitoring trend data at the Queen Valley and Tonto National Monument did not increase from last year and the trend is downward.

Ms. Bauer stated that in the final notice for the 2015 ozone standard, EPA indicated that under some circumstances EPA may need an additional year for the designation process to ensure that air agencies and EPA base designations on complete and sufficient information. EPA has the authority to delay the boundary designations for up to one year. A one year delay would allow for the consideration of newer, more complete monitor data, which may be cleaner.

Ms. Bauer reported on the ADEQ boundary designation schedule. ADEQ prepared the draft designations document May 31, 2016. Public review process was held May to June 2016, followed by a public hearing July 1, 2016. A stakeholder meeting was conducted August 9, 2016. The designations document is to be submitted by ADEQ to the Governor by September 1, 2016, and the Governor will submit the designation to EPA by October 1, 2016.

Ms. Bauer stated that this region has experienced larger boundaries and new standards. She noted that in 2004, the ozone boundary was expanded for the 1997 eight-hour ozone standard. The region experienced one violation of the 1997 ozone standard in 2004 and no more, but still needs to deal with this large boundary. Ms. Bauer stated that MAG has done a maintenance plan that was approved by EPA, but the boundary remains. She summarized the possible action to recommend that the Governor request that EPA delay the ozone boundary designation for up to one year in accordance with the Clean Air Act.

Chair Stanton thanked Ms. Bauer for her report and asked if there were questions.

Supervisor Todd House commented that it is incredible that a monitor in the middle of the Tonto National Forest can be a violation by such a small amount. He noted that half of the people in Pinal County commute to Maricopa County for business. Supervisor House stated that if this goes forward, it will diminish the ability of Pinal County to produce occupational areas within the county so not as many people need to seek business opportunities outside its boundary. This will result in lower vehicle usage and lower ozone levels. Supervisor House stated that all of the vehicles are already required to

undergo emissions testing. He remarked that they have already done everything they can. Supervisor House stated that this will provide the opportunity to ensure that the Tonto monitor is working correctly. He stated that in Queen Valley, they have established that when it gets hot, the ozone level increases – it is a naturally occurring event. Supervisor House stated their hope for a one-year delay will provide the opportunity to lower the readings on the Queen Valley monitor to 0.070 so the boundary will not need to be expanded. Supervisor House stated that Pinal County is on the precipice of economic development they have not seen before and they do not want to do anything to slow the momentum. He stated that he did not want to start a war between MAG, EPA and the Governor, but they do want to defend that there is not much of a difference between 0.070 and 0.071. He requested one more year to provide the opportunity to meet that stringent level.

Supervisor House, indicating his support for the requested action, moved to recommend that the Governor request that EPA delay the ozone boundary designation for up to one year in accordance with Section 107(d)(1)(B)(i) of the Clean Air Act since the Queen Valley and Tonto National Monument monitors are at 0.071 parts per million, just slightly over the 0.070 parts per million standard, to allow the overall downward trend in ozone concentrations to continue, and to allow EPA to consider the most up-to-date, complete, and sufficient monitor data for the ozone boundary designation. Vice Mayor Robin Barker seconded, and the motion passed unanimously.

10. Legislative Update

Mr. Nathan Pryor, MAG staff, provided an update on legislative issues of interest. He first spoke of the federal FY 2016 TIGER Round 8 awards totaling \$500 million in transportation funding nationally. Mr. Pryor stated that no projects in Arizona received a TIGER award in Round 8. He said that in April, MAG held a large media event to show support for SR-189 and I-19 traffic interchange in the Nogales area to better facilitate freight movement to and from Mexico.

Mr. Pryor stated that a \$54 million FASTLANE grant was awarded to Interstate 10 improvements from Phoenix to Tucson, south of the Gila River Indian Community. He extended congratulations to ADOT for securing this grant for freight and transportation infrastructure.

Chair Stanton thanked Mr. Pryor for his report. No questions from the Regional Council were noted.

11. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting were requested.

None were noted.

12. Comments from the Council

An opportunity was provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Vice Mayor Robin Barker encouraged members to submit their Domestic Violence Awareness Month events to MAG so they can be included in the calendar and publicized. She expressed that lighting buildings purple is a marvelous idea. Vice Mayor Barker stated that increasing awareness of domestic violence is important in reaching a solution to the problem.

Chair Stanton stated that the next Regional Council meeting is September 28, 2016.

Adjournment

There being no further business, the meeting adjourned at 1:05 p.m.

Chair

Secretary